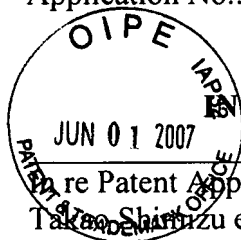


Application No.: 10/542,217

Docket No.: SAE-0036



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Takao Shimizu et al.

Application No.: 10/542,217

Confirmation No.: 6601

Filed: July 15, 2005

Art Unit: 1646

For: NOVEL LYSOPHOSPHATIDIC ACID
RECEPTOR

Examiner: Ruixiang LI

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed February 1, 2007 (Paper No. 20070127), Applicant hereby provisionally elects Group I, directed to claims 1-3, with traverse, for continued examination.

Please note that Applicant reserves the right to file divisional applications covering the subject matter of the non-elected claims. Applicant also reserves the right to rejoin any applicable non-elected claims.

The Examiner has required a restriction under 35 U.S.C. §§ 121 and 372, and has alleged that the application contains inventions which are not linked so as to form a single general inventive concept under PCT Rule 13.1. Applicant respectfully disagrees, and therefore has traversed this restriction requirement. Applicant requests that the Examiner reconsider this restriction requirement in view of the following remarks.

Applicants traverse the Restriction Requirement since the examination of the claims of Groups I-II poses no undue burden on the Examiner. Under §803 of the Manual of Patent Examining Procedure, if the search and examination of an entire application can be made without serious burden, the Examiner **must examine it on the merits, even though it includes claims to**

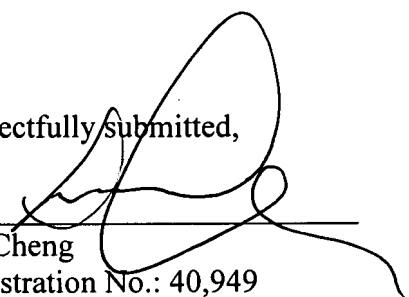
independent or distinct inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden (see MPEP §803 in which it is stated that “*if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions*”)

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SAE-0036 from which the undersigned is authorized to draw.

Dated: June 1, 2007

Respectfully submitted,

By 
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